

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

TYRONE SAMUEL FIELDS,)		
)		
Movant,)		
)		
v.)	Case No.	CV411-044
)		CR409-026
UNITED STATES OF AMERICA,)		
)		
Respondent.)		

ORDER

Tyrone Samuel Fields moves to vacate, set aside, or correct his federal prison sentence under 28 U.S.C. § 2255, alleging that his counsel was ineffective for failing to file a direct appeal in his criminal case despite explicit instructions to do so. (Doc. 1.) The government concedes that an evidentiary hearing will be required in order to resolve this contention, since it involves factual issues not developed in the existing record. (Doc. 8.)

Under Rule 8(c) of the Rules Governing Section 2255 Proceedings, movant is entitled to the appointment of counsel pursuant to 18 U.S.C. § 3006A(g) to represent him at the evidentiary hearing. The Clerk is

therefore **DIRECTED** to prepare the necessary paperwork for appointment of counsel and to schedule a hearing on this matter. The parties are advised, however, that the sole issue at the hearing will be Fields's "Ground A" claim that his counsel was ineffective for failing to file a direct appeal. The Court will not entertain any argument or testimony pertaining to any of the other claims.

SO ORDERED this 19th day of May, 2011.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA